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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,675	08/25/2003	David L. Brown	DP-308419	2914
22851	7590	10/18/2005	EXAMINER PHAN, THIEM D	
DELPHI TECHNOLOGIES, INC. M/C 480-410-202 PO BOX 5052 TROY, MI 48007			ART UNIT 3729	PAPER NUMBER

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/647,675

Applicant(s)

BROWN ET AL.

Examiner

Tim Phan

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on 9/22/05 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kusumoto et al (US 6,715,199 B2) in view of Umeda et al (US 6,137,201) or vice versa.

Kusumoto et al teach a method of manufacturing dynamo-electric machine, comprising:

- providing a stator core (Fig. 1, 11) having a main axis as core center and a secondary axis through the slot bottom (Fig. 1, 12), said secondary axis being parallel to, and radially offset from, said main axis, said core further including a plurality of teeth (Fig. 1, both sides of 12) projecting radially inwardly to define a central bore, said plurality of teeth being separated by intervening slots (Fig. 1, 12) having slot openings (Fig. 1, 16);
- forming a continuous wave-shaped conductor (Fig. 5, 18) segment out of a continuous conductor, said wave-shaped conductor segment having a plurality of straight portions (Fig. 5, 18a) extending longitudinally along and parallel to said secondary axis, a plurality of end-turn regions extending transverse (Fig. 5, 18b) said secondary axis and disposed in between said straight portions in an alternating pattern and having a conductor segment end (Fig. 9, see below) at each end of the conductor segment, said conductor segment ends having a first cross-sectional shape, said straight portions (Fig. 6, 18a) having a second cross-sectional shape different than said first shape, and said end-turn regions having a third cross-sectional shape (Fig. 5, 18b) different than said first or second cross sectional shapes (Fig. 5, 18a);
- inserting (Col. 4, lines 47 ff.) said wave-shaped conductor segment into said slots in a radial direction of the stator core (Fig. 4, 11) by the segment straight portions (Fig. 4, 18a; col. 3, lines 63-67) such that said waved shaped conductor is received in said slots at intervals of a predetermined number of slots.

Umeda et al teach a process of making an AC generator, comprising:

- creating an unformed tooth tip or forming an addendum extreme end (Fig. 8A, 32a) at the tooth tip (Fig. 8A, 32) that defines slot opening;
- deforming the unformed tooth tip or extreme end (Fig. 9, Col. 7, lines 32-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the two teachings by applying the no groove tooth and the deforming tooth tip, as taught by Umeda et al, to the method of manufacturing dynamo-electric machine by Kusumoto et al, in order to prevent any electrolyte such as salt water from entering into the slots through a groove and damaging the generator (Umeda et al, col. 3, lines 58-61).

### *Response to Arguments*

4. Applicants' arguments with respect to claim 1 filed on 8/26/05 have been considered but are moot in view of the new grounds of rejection.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Phan whose telephone number is 571-272-4568. The examiner can normally be reached on M - F, 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tim Phan  
Examiner  
Art Unit 3729

tp  
October 14, 2005



**A. DEXTER TUGBANG**  
**PRIMARY EXAMINER**